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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/995,715	12/22/1997	IVANOV ANATOLY GENNADIEVICH	0971/OD319	8165

7590

01/15/2002

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EXAMINER

BRIER, JEFFERY A

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 01/15/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/995,715

Applicant(s)

GENNADIEVICH, IVANOV
ANATOLY

Examiner

Jeffery A. Brier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-50, 52, 55-61, 63, 65 and 67-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 57-61, 63, 67-69 and 73 is/are allowed.
- 6) ☒ Claim(s) 55, 56, 65, 70-72 and 74 is/are rejected.
- 7) ☒ Claim(s) 48-50 and 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 November 2001 is: a) ☐ approved b) ☒ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendments to pages 19, 20 and 23 have been entered. Claims 51, 53, 54, 62, 64 and 66 have been cancelled. Claims 48-50, 52, 55-61, 63, 65 and 67-74 are pending. Claims 48, 52, 55-57, 59-61, 63, 65, 67 and 68 have been amended. Claims 69-74 have been added.

Drawings

2. The proposed drawing correction, filed on 11/16/2001 has been disapproved. The proposed changes for figures 1 and 5(a) are acceptable. The proposed change for figure 5(B) is not acceptable because applicant did not change 5(B) to 5(b). A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

3. The proposed substitute sheets of drawings, filed on 02/01/2000 have been approved in part and disapproved in part.

Substitute figures 4, 6 and 7 are acceptable to the examiner regarding content, however, these figures are poorly drafted and need to be redrafted following USPTO rules. Note the PTO-948, Notice of Draftspersons Patent Drawing Review, attached to paper no. 9.

Substitute figures 1 and 5(a) as amended by the 11/16/2001 proposed drawing change would be acceptable to the examiner regarding content, however, these figures

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are poorly drafted and need to be redrafted following USPTO rules and to include the proposed changes. Note the PTO-948, Notice of Draftspersons Patent Drawing Review, attached to paper no. 9.

Substitute figure 5(B) as amended by the 11/16/2001 proposed drawing change would be acceptable to the examiner regarding content if FIG. 5(B) was changed to FIG. 5(b), however, these figures are poorly drafted and need to be redrafted following USPTO rules and to include the necessary change. Note the PTO-948, Notice of Draftspersons Patent Drawing Review, attached to paper no. 9.

Substitute figures 2 and 3 are NOT acceptable to the examiner regarding content and these figures are poorly drafted and need to be redrafted following USPTO rules. Note the PTO-948, Notice of Draftspersons Patent Drawing Review, attached to paper no. 9. Applicants remarks concerning figures 2 and 3 on page 12 of the 11/16/01 amendment have been considered but they are not persuasive. For figure 2 page 13 lines 8-9 of the specification have been reviewed as suggested by applicant. Page 13 lines 6-9 of the specification states "Mirror plates 8 are placed one above the other, with each plate corresponding to a scanning line of the image block of the complimentary screen 1. Kerr-effect based double refracting crystal plates 9 are layered over the mirror plates 8 and transparent electrodes 10 are placed between the plates" while substitute figure 2 shows the mirror plates 8 in a position different from that which is described by the original specification and substitute figure 2 is different than figure 2 of the foreign priority document. For figure 3 page 14 does not describe how deflector 12 is constructed, thus, it does not describe the location of piezoelectric element 14 and

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the orientation of sound wave acceptor 15. Applicant remarks concerning the curve of 3' is noted and the examiner believes that a straight line rather than a curved would better illustrate the light conductor 3' of figure 3.

A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Specification

4. The amendment filed 11/16/2001 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The amendment to page 23 changed laser 13 to laser 31, however, as can be seen from substitute figure 7 element 31 is not a laser. The laser is correctly referenced with reference numeral 26, see the specification at page 20 next to the last line.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Objections

5. Claim 48-50, 52, 55, 56, 71 and 72 are objected to because of the following informalities: claim 48 line 4 "one or pixels" should be "one or more pixels". Dependent claims 49, 50, 52, 55, 56, 71 and 72 do not correct this problem and thus are objected to for the same reasons that claim 48 is objected. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 65, 70, 72 and 74 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 70:

Parts e and f of this claim are not supported by the originally filed specification.

Claim 65:

This claim is not supported by the originally filed specification.

Claims 72 and 74:

These claims correspond to the lens matrix of figure 5(b), however, the specification did not associate image recording with the lens matrix.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 55, 56, 71 and 72 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 71 is indefinite because in part f

"said plane information" lacks antecedent basis in the claims. Claims 55, 56 and 72 depend upon claim 71 and they do not correct this 112 second paragraph problem present in claim 71.

Allowable Subject Matter

10. Claims 57-61, 63, 67, 68, 69 and 73 are allowed. Claims 48-50 and 52 would be allowable if the objection to claim 48 is overcome. Claims 71, 55 and 56 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Response to Arguments

11. Applicant's arguments concerning figures 2 and 3 and claim 70 filed 11/16/2001 have been fully considered but they are not persuasive for the reasons given above. The arguments for claim 72 are not persuasive because the pages cited by applicant do not associate a BDS having a lens matrix with the image recording embodiment.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read "Jeffery A. Brier".

Jeffery A Brier
Primary Examiner
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